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Ministry of
Housing

Ontario

VALIDATION APPLICATION GUIDE

To assist the Title holder in completing the application form requesting the Municipality to pass a by-law to validate title to land under Section 29a of The Planning Act.

USING THE GUIDE

The information below has been set out under headings for quick reference when the validation application guide is referred to and in completing the attached application.

MAKING THE REQUEST

1.
For your information Section 29a of The Planning Act is printed on the reverse side of this guide. The Section is fully explained in a Ministry of Housing Brochure, a copy of which is available for inspection at the local office of the Municipality to whom the form is to be submitted.

2.
The completed application form should be submitted, with the additional information explained in paragraph 9 of this guide, to the Municipality in which the subject land(s) is located. If the subject land(s) is in more than one Municipality, copies must also be submitted to each Municipality. A letter stating this should accompany each application.

USING THE APPLICATION FORM

3.
The form is designed so that this page and page VII (sample site plan) may be retained by the applicant.

4.
The application must be completed by the person who holds title to the land or his authorized agent. In any

event, whether submitted by the title holder or an agent, the title holder must sign the clause at the beginning of the form.

5.
In cases where it is requested more than one parcel of land be validated and insufficient space is available to answer the question, additional list(s) should be attached and reference made to this effect on the form.

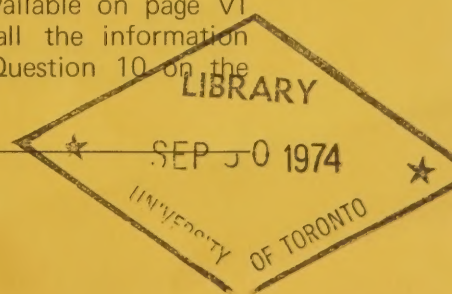
6.
It is considered advisable that the applicant consult with the appropriate authorities to determine the means of water and sewage provision on the subject land(s). This information in association with other requested on the form, will enable the Municipality to assess all the possible consequences if validation is supported.

7.
To avoid delays, information and supporting documents should be complete and accurate.

SKETCH REQUIRED

8.
Each application must be accompanied by a sketch drawn in the space made available on page VI and showing all the information requested in Question 10 on the attached form.

APPLICANT TO RETAIN



ADDITIONAL DOCUMENTS & PLANS

9.

Each application must be accompanied by:

(a)

Two (2) copies of the registered deeds and

(b)

Two (2) copies of the deposited reference plan (if applicable).

10.

In cases where a copy of the reference plan is not applicable and doubt to the precise location of the subject land(s) may exist, a location plan indicating the subject land(s) in relation to the surrounding area and known landmarks must be included.

DEALING WITH THE APPLICATION

11.

Following receipt of the application, the Municipality may request the applicant to submit further information or appear before them to explain any additional facts they consider necessary.

12.

The Municipality may, as a condition to the passage of a by-law, impose such conditions as it considers appropriate.

13.

If the Municipality support the application, they must pass a by-law to this effect and submit it to the Minister of Housing. The Minister may then, by order, validate the subject land(s) if he is satisfied it conforms to the provisions and intent of THE PLANNING ACT.

SECTION 29a OF THE PLANNING ACT

29a (1)

The Minister may, by order, in respect of land described in the order provide that the contravention, before the 19th day of March, 1973, of section 29 of The Planning Act or a predecessor thereof or of a bylaw passed under a predecessor of section 29 or of an order made under clause b of subsection 1 of section 27, as it existed on the 25th day of June, 1970, of The Planning Act, being chapter 296 of the Revised Statutes of Ontario, 1960, or a predecessor thereof does not have and shall be deemed never to have had the effect of preventing the conveyance or creation of any interest in such land, provided that the order does not affect the rights acquired by any person from a judgment or order of any court, given or made on or before the day on which the order is filed with the Registrar of Regulations.

(2)

No order shall be made by the Minister under subsection 1 in respect of land situate in a local municipality unless the council of the local municipality in which the land is situate has, by bylaw requested the Minister to make such order, which such bylaw the council is hereby empowered to pass.

(3)

A municipality may, as a condition to the passage of a bylaw under subsection 2, impose such conditions in respect of any land described in the bylaw as it considers appropriate.

(4)

Nothing in this section derogates from the power the Minister, a land division committee or a committee of adjustment has to grant consents referred to in section 29.

APPLICATION FORM FOR A BYLAW TO VALIDATE TITLE THE PLANNING ACT - SECTION 29a

"I hereby certify that the following information is accurate and correct to the best of my knowledge".

.....
Date

.....
Signature of Owner

.....
Signature of Agent

PLEASE PRINT CLEARLY

1.
Applicant's Name

Address

.....Tel. No.

2.
Agent's Name

Address

.....Tel. No.

3.
In whose name is the property registered

.....

4.
When was the property purchased

5.
Property description:

Reference Plan
— Part No.

Frontage

Depth

Area

APPLICANT TO COMPLETE AND RETURN TO MUNICIPALITY

-
6. What is the present use of the land
7. What is the intended use of the land
8. Has a building permit been issued
9. Has construction commenced
10. A site plan showing:
- (i) The scale to be not less than 1 inch = 50 feet;
 - (ii) A north point;
 - (iii) The boundaries of the site, its area, dimensions, and its distance from the nearest highway, concession, or other road;
 - (iv) The width and location of all road allowances and rights-of-way;
 - (v) The means of connection to any existing sewer or water services or the location of any proposed septic tank or water supply;
 - (vi) The location of any existing or **proposed** buildings and structures or other works on the site, showing minimum distances from all lot lines;
 - (vii) The location of any access road to the site;
 - (viii) Significant existing landscape features such as wood lots, trees, shrubs, etc. and the retention of such features on the site;
 - (ix) The location of areas subject to flooding, swampiness and erosion on and adjacent to the site;
 - (x) The slope of the land, including any major physical features such as escarpments, watercourses, drainage ditches and bodies of water;
 - (xi) Any other proposed works to be undertaken, including the provision of landscaping, fences, etc.;
 - (xii) Any existing or proposed easements on the land.

NOTE

For the guidance of the applicant, an example of a site plan is attached.

11.

What type of access exists to the land

(i)

Private right-of-way

(ii)

Municipal open road allowance

(iii)

Municipal unopened road allowance

(iv)

Other (e.g. water access)

12.

What type of sewage disposal

Existing Proposed

If proposed, a report from the Ministry of the Environment or its local representative indicating adequate water and sewage services can be provided on or to the site to meet the demands of the proposed use must be attached.

13.

Has a septic tank permit been issued for the subject land

14.

What type of water supply

Existing Proposed

If proposed, a report from the Ministry of the Environment or its local representative indicating adequate water and sewage services can be provided on or to the site to meet the demands of the proposed use must be attached.

15.

Did the previous owner retain any interest in the subject land

16.

Do you have any interest in any other land in the municipality

17.

If so, describe each separate parcel

Reference Plan — Part No.	Lot	Con.	Does the Title Need Validating
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— Attach additional list(s) if necessary.

18.

Why do you consider your title may require validation

VI

REQUIRED SITE PLAN SKETCH

SCALE

AREA



SAMPLE SITE PLAN SKETCH

SCALE 1 inch = 50 feet
AREA 1.38 acres

